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Paper No. 8

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MAY 20 2004

OFFICE OF PETITIONS

In re Application of	:	
Richard S. Szeliski et al.	:	
Application No. 09/658,006	:	DECISION ON PETITION
Filing Date: September 9, 2000	:	UNDER 37 C.F.R. §1.10
Attorney Docket No. MCS-035-00	:	
Title: SYSTEM AND METHOD FOR	:	
EXTRACTING REFLECTION AND	:	
TRANSPARENCY LAYERS FROM	:	
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This is a decision on the "request for corrected filing receipt," which is properly treated as a petition under 37 C.F.R. §1.10, filed March 1, 2004, requesting that application number 09/658,006 be accorded a filing date of September 9, 2000.

Shortly after the application was deposited, the Office of Initial Patent Examination (OIPE) mailed Applicant's filing receipt, which indicates that the application had been accorded a filing date of September 8, 2000.

On March 1, 2004, applicant filed the instant petition¹, where it was alleged that the application was deposited on September 9, 2000, and OIPE assigned the wrong filing date to this application. Petitioner has included a copy of Express Mail number EL433214968US.

A check of the United States Postal Service's website (<http://www.usps.com/shipping/trackandconfirm.htm>) was inconclusive. However, a check of the Office's USPS Express Mail Finder Database computer program shows that the package was

¹ The petition contains a certificate of facsimile transmission dated December 7, 2001.

accepted on September 9, 2000. A copy of the latter search result is enclosed.

It is noted that this Express Mail label bears a "date in" which cannot be discerned due to the poor quality of the copy provided with the instant petition.

Although the application received a filing date of September 8, 2000, the evidence is convincing that the application papers were filed on September 9, 2000, and the incorrect filing date was subsequently assigned to this application.

Accordingly, the petition is **GRANTED**.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of September 9, 2000, as well as the mailing of a corrected filing receipt.

Any inquiries related to this decision should be directed to the undersigned at (703) 305-0011.



**Paul Shanowski
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Office of Petitions
United States Patent and Trademark Office**

Encl. Printout of the USPS Express Mail Finder Database computer program results